

Message Text

CONFIDENTIAL

PAGE 01 GENEVA 05866 01 OF 04 182218Z
ACTION OES-07

INFO OCT-01 AF-10 IO-13 ISO-00 AID-05 CEQ-01 CIAE-00
SOE-02 COME-00 DODE-00 EB-08 EPA-01 INR-10 L-03
NSF-01 NSC-05 NSAE-00 PM-05 ICA-11 SS-15 SP-02
DOE-15 INT-05 ACDA-12 AGRE-00 CEA-01 CG-00
DLOS-09 DOTE-00 FMC-01 TRSE-00 H-01 JUSE-00
OMB-01 PA-01 ARA-10 EA-10 EUR-12 NEA-10 LAB-04
SIL-01 /193 W

-----066910 182319Z /63

R 181840Z APR 78
FM USMISSION GENEVA
TO SECSTATE WASHDC 8555
INFO AMEMBASSY NAIROBI

C O N F I D E N T I A L SECTION 01 OF 04 GENEVA 05866

DEPT FOR OES/KINTER, NAIROBI FOR USUNEP

E.O. 11652: GDS
TAGS: UNEP PLOS
SUBJECT: SECOND MEETING OF UNEP EXPERTS ON ENVIRONMENTAL
LAW.

1. SUMMARY: MEETING HAS CONCLUDED WITH MINOR PROGRESS ON
FUTURE WORK OF GROUP, BUT NO SUBSTANTIVE ACHIEVEMENTS. AS
FIRST PHASE OF MODEL CASE STUDY CONCERNING MARINE POLLUTION
FROM OFFSHORE MINING AND DRILLING CARRIED OUT WITHIN THE
LIMITS OF NATIONAL JURISDICTION, GROUP HAS DECIDED TO PUR-
SUE THE TOPIC OF PROCEDURES AND MECHANISMS FOR THE PRE-
VENTION AND COMBAT OF POLLUTING ACTIVITIES, INCLUDING SUCH
ASPECTS AS ENVIRONMENTAL IMPACT ASSESSMENT, NOTIFICATION,
CONSULTATION AND MONITORING. UNEP SECRETARIAT INSTRUCTED
TO PREPARE OR COMMISSION A BACKGROUND REPORT ON ABOVE
TOPICS, INCLUDING STATE OR NATIONAL LAWS ON SUBJECT AND
TECHNICAL INFORMATION, REPORT TO CONTAIN CONCLUSIONS WHICH
GROUP WILL CONSIDER AND, IF APPROPRIATE, USE AS BASIS FOR
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 GENEVA 05866 01 OF 04 182218Z

DRAFTING OF GUIDELINES. AT EARLIEST, REPORT WILL BE AVAIL-
ABLE IN FALL 1978; NO FURTHER MEETING OF EXPERTS ANTICIPA-
TED UNTIL EARLY 1979. QUESTION OF EMBARKING ON A SECOND
STUDY WAS DEFERRED UNTIL NEXT MEETING. BERLIN ISSUE CON-
CERNING FRG REPRESENTATION DID NOT ARISE.

2. MEETING WAS OPENED BY REPRESENTATIVE OF EXECUTIVE

DIRECTOR (KARLSTROM), WHO EXPLAINED THAT SECRETARIAT HAD DECIDED TO MOVE MEETING, ORIGINALLY SCHEDULED FOR AUGUST, UP TO APRIL, IN ORDER TO BE ABLE TO REPORT TO THE GOVERNING COUNCIL IN MAY ON THE GROUP'S PROGRESS. HE MADE CLEAR THAT THE UNEP SECRETARIAT CONSIDERS THE TASK OF THE GROUP IS TO DRAFT GUIDELINES FOR THE CONDUCT OF STATES IN THE AREA OF OFFSHORE MINING AND DRILLING WITHIN THE LIMITS OF NATIONAL JURISDICTION. IN ADDITION, HE WARNED THE GROUP TO AVOID DUPLICATION AND REITERATED THAT THE GROUP WAS ONE OF EXPERTS, PRESENT IN THEIR INDIVIDUAL CAPACITIES. FINALLY, HE NOTED THAT THE SECRETARIAT ANTICIPATED THAT AT LEAST ONE OR TWO ADDITIONAL SESSIONS OF THE GROUP WILL BE NEEDED BEFORE THE GROUP CAN COMPLETE ITS STUDY, AND EXPRESSED THE EXECUTIVE DIRECTOR'S DESIRE THAT THE GROUP GIVE HIM "CLEAR GUIDANCE" ON THE PREPARATION OF ADDITIONAL STUDIES. IN ABSENCE OF PREVIOUS CHAIRMAN (GEORGES LEGER, CANADA), NETHERLANDS EXPERT (MAAS/GEESTEMNUS) WAS SELECTED AS CHAIRMAN.

3. GROUP BASED DISCUSSIONS ON BACKGROUND PAPER BY CANADIAN CONSULTANT ARMAND DE MESTRAL AND ON HELPFUL ELABORATION OF PAPER BY TECHNICAL EXPERTS FROM LAW OF THE SEA DELEGATIONS OF US (MCKELVEY), UK (QUINE, SHAW) AND SWEDEN (BO HALL). TWO MAJOR PROBLEMS STYMIED DELIBERATIONS OF GROUP AND ENSURED THAT ANY PROGRESS WOULD BE LIMITED TO DEFINING THE FUTURE WORK OF THE GROUP ON THE STUDY. FIRST, THE EXPERTS

CONFIDENTIAL

PAGE 03 GENEVA 05866 01 OF 04 182218Z

OF BRAZIL, ARGENTINA AND FRANCE EVIDENTLY ARRIVED WITH INSTRUCTIONS TO MINIMIZE THE PROGRESS OF THE GROUP. MOTIVATION OF THE FRENCH AND BRAZILIAN EXPERTS APPEARED TO STEM FROM THE STOCK CAUTION OF THEIR TWO COUNTRIES IN THE AREA OF ENVIRONMENTAL PROTECTION. IN THE CASE OF ARGENTINA, MOTIVATION LESS CLEAR, BUT APPEARED TO BE BASED MORE ON UNFAMILIARITY WITH THE TOPIC AND RELUCTANCE TO PROCEED IN AREA OF MARINE POLLUTION WHILE THE LAW OF THE SEA CONFERENCE STILL ONGOING, THAN ON DEEP-SEATED RESISTANCE TO WORK ON ENVIRONMENTAL PROTECTION. UNFORTUNATELY, THESE THREE EXPERTS WERE ABLE TO CAPITALIZE SUCCESSFULLY IN THEIR ATTEMPTS AT OBSTRUCTION ON THE SECOND PROBLEM CONFRONTING THE GROUP, WHICH WAS THE SECRETARIAT'S LACK OF PREPARATION FOR THE MEETING. THE STUDY WAS CIRCULATED VERY LATE AND MANY EXPERTS DID NOT SEE IT UNTIL THEY ARRIVED IN GENEVA. MOREOVER, IT WAS NOT AVAILABLE IN SPANISH OR RUSSIAN UNTIL LATE IN THE MEETING. THE EXPERTS FROM BRAZIL, FRANCE, ARGENTINA AND VENEZUELA CONTINUALLY ADDRESSED COMPLAINTS TO THE SECRETARIAT CONCERNING ITS FAILURE TO PRODUCE THE STUDY AND OTHER DOCUMENTS IN ALL FOUR LANGUAGES, AND MUCH TIME WAS SPENT IN COLLOQUY BETWEEN THOSE EXPERTS AND THE SECRETARIAT (BOATENG), WHO MAINTAINED, WITHOUT RECEIVING A VERY

SYMPATHETIC HEARING, THAT THE SECRETARIAT WAS NOT OBLIGED TO PRODUCE DOCUMENTS IN ALL FOUR LANGUAGES FOR THIS GROUP. COMPLAINTS ABOUT THE FAILURE TO TRANSLATE DOCUMENTS ARE NOTED IN THE GROUP'S REPORT. THE LACK OF SUFFICIENT PREPARATION BY THE SECRETARIAT ALSO MEANT THAT MOST EXPERTS WERE NOT PREPARED TO TAKE POSITIONS ON THE SUBSTANCE OF ANY OF THE LEGAL ISSUES RAISED IN THE BACKGROUND PAPER. THE GROUP'S DISCUSSION, THEREFORE, NECESSARILY CENTERED ON THE OUTLINES OF ITS FUTURE WORK ON OFFSHORE MINING AND DRILLING.

4. CONSULTANT'S PAPER SIGNALLED FOUR BROAD AREAS FOR WORK BY GROUP: (1) ENVIRONMENTAL ASSESSMENT OF THE RISKS OF POLLUTION, NOTIFICATION, CONSULTATION AND MONITORING; (2) PREVENTION OF POLLUTION DURING THE STAGES OF EXPLORATION
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 GENEVA 05866 01 OF 04 182218Z

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 GENEVA 05866 02 OF 04 182240Z
ACTION OES-07

INFO OCT-01 AF-10 IO-13 ISO-00 AID-05 CEQ-01 CIAE-00
SOE-02 COME-00 DODE-00 EB-08 EPA-01 INR-10 L-03
NSF-01 NSC-05 NSAE-00 PM-05 ICA-11 SS-15 SP-02
DOE-15 INT-05 ACDA-12 AGRE-00 CEA-01 CG-00
DLOS-09 DOTE-00 FMC-01 TRSE-00 H-01 JUSE-00
OMB-01 PA-01 ARA-10 EA-10 EUR-12 NEA-10 LAB-04
SIL-01 /193 W

-----067377 182316Z /63

R 181840Z APR 78
FM USMISSION GENEVA
TO SECSTATE WASHDC 8556
INFO AMEMBASSY NAIROBI

C O N F I D E N T I A L SECTION 02 OF 04 GENEVA 05866

AND SUBSEQUENT PRODUCTION (REGULATION TO ENSURE SAFE PROCEDURES); (3) THE CONTROL AND ABATEMENT OF POLLUTION WHEN IT EXISTS, WHETHER FROM A DISASTER OR FROM OPERATIONAL SOURCES (CONTINGENCY PLANNING); AND, (4) THE COMPENSATION OF THE VICTIMS OF POLLUTION (LIABILITY AND COMPENSATION).

AN INITIAL TOPIC OF DISCUSSION WAS WHETHER THE GROUP SHOULD FOCUS SIMULTANEOUSLY ON BOTH MINING AND DRILLING, SHOULD DEAL WITH THE TWO SEQUENTIALLY, OR SHOULD TREAT INITIALLY ONLY DRILLING, AS POSING FAR GREATER RISKS TO THE ENVIRONMENT. THE GROUP REACHED CONSENSUS THAT IT WOULD, AT THIS POINT, WORK ON BOTH MINING AND DRILLING, WHILE RECOGNIZING THAT IF THE GROUP WERE TO DRAFT TECHNICAL STANDARDS UNDER AREA (2), THE TWO WOULD HAVE TO BE TREATED SEPARATELY, AS MINING AND DRILLING OPERATIONS ARE QUITE DIFFERENT.

5. A SECOND ISSUE ADDRESSED BY THE GROUP WAS WHETHER THE GROUP SHALL DEAL WITH THE TRANSBOUNDARY ASPECTS OF MINING AND DRILLING ON THE CONTINENTAL SHELF, THE NATIONAL ASPECTS, OR BOTH. THE GROUP AGREED THAT ITS CONCERN WAS A COMPREHENSIVE ONE -- TO PROTECT AND PRESERVE THE MARINE ENVIRONMENT.
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 GENEVA 05866 02 OF 04 182240Z

MENT FROM POLLUTION AND ENVIRONMENTAL DAMAGE WHICH MAY ARISE FROM OFFSHORE MINING AND DRILLING CARRIED OUT WITHIN THE LIMITS OF NATIONAL JURISDICTION. THE GROUP FURTHER AGREED THAT THIS GOAL HAD BOTH NATIONAL AND TRANSFRONTIER ASPECTS AND THAT BOTH SHOULD BE CONSIDERED.

6. THE MOST LIVELY TOPIC OF DISCUSSION WAS WHETHER THE GROUP SHOULD ADDRESS ALL FOUR OF THE AREAS IDENTIFIED BY THE CONSULTANT AND IN WHAT ORDER THE VARIOUS AREAS SHOULD BE ADDRESSED. US, SUPPORTED BY POLAND, EXPRESSED STRONG DESIRE TO KEEP ALL AREAS UNDER CONSIDERATION AND TO APPROACH THE TOPIC IN A LOGICAL, SEQUENTIAL ORDER, MOVING CHRONOLOGICALLY THROUGH THE STAGES OF INITIAL ASSESSMENT, SAFETY REGULATIONS, CONTINGENCY MEASURES, AND COMPENSATION. ON THE GROUNDS THAT GROUP SHOULD FOCUS ITS EFFORTS FIRST ON PREVENTION OF ENVIRONMENTAL HARM, NORDIC COUNTRIES, LED BY SWEDEN AND CANADA MADE A FORCEFUL PLAY, WITH THE SUPPORT OF THE CHAIRMAN, TO FOCUS ON THE MORE "LEGAL" FIRST AND FOURTH AREAS AND TO DEEMPHASIZE, THOUGH NOT DROP COMPLETELY, THE MORE "TECHNICAL" SECOND AND THIRD AREAS. AS AT FIRST MEETINGS, CANADIAN EXPERT APPARENTLY UNDER INSTRUCTIONS TO PRESS FOR WORK ON LIABILITY AND COMPENSATION. SWEDEN WAS ALSO VERY ANXIOUS FOR WORK ON LIABILITY AND COMPENSATION, WHERE THEY SEE OPPORTUNITY TO DEVELOP A GLOBAL CONVENTION ON CIVIL LIABILITY BASED ON THE LONDON CONVENTION. AUSTRALIA FAVORED WORK ON COMPENSATION, BUT NOT ON LIABILITY. UK, FRANCE AND AUSTRALIA EXPRESSED GRAVE DOUBTS ABOUT THE COMPETENCE OF THE GROUP TO DEAL WITH THE SECOND TOPIC, SAFETY REGULATIONS, AND FEARED THAT WORK OF GROUP IN THAT AREA MIGHT OVERLAP WITH WORK UNDERWAY IN IMCO AND THE ILO. REPRESENTATIVE FROM IMCO EXPLAINED THAT WORK WAS UNDERWAY WITHIN IMCO ON DESIGN STANDARDS FOR MOBILE INSTALLATIONS USED IN OFFSHORE DRILLING; REPRESENTATIVE FROM ILO

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 GENEVA 05866 02 OF 04 182240Z

DESCRIBED WORK IN PROGRESS ON SAFETY STANDARDS FOR WORKERS ON OFFSHORE RIGS. BOTH REPRESENTATIVES INDICATED THEIR BELIEF THAT THE WORK OF THE GROUP IN THE AREA OF SAFETY STANDARDS COULD COMPLEMENT THEIR OWN WORK. FOR INSTANCE, THE GROUP MIGHT UNDERScore THE GENERAL NEED FOR SUCH STANDARDS IN DRAFT GUIDELINES, SHOULD THAT BE THE FORM OF WORK THE GROUP DECIDED TO UNDERTAKE. THE NEED TO EXCHANGE INFORMATION AND MAINTAIN CLOSE CONTACT WAS UNDERScoreD.

7. COMPROMISE FINALLY STRUCK WAS TO KEEP ALL FOUR AREAS UNDER CONSIDERATION, WHILE DEVOTING ATTENTION FIRST TO THE TWO MORE "LEGAL" AREAS, (1) AND (4), AND SEEKING MORE INFORMATION ON AREAS (2) AND (3). CHRONOLOGICAL APPROACH FAVORED BY US MAINTAINED TO A CERTAIN EXTENT, IN THAT GROUP DECIDED THAT IT SHOULD CONCENTRATE ON AREA (1) -- ENVIRONMENTAL ASSESSMENT AND SO FORTH -- AT ITS NEXT MEETING. ALL AGREED THE GROUP SHOULD AVOID DUPLICATING THE WORK DONE OR IN PROGRESS IN OTHER FORA. AT UK INSISTENCE, DUE TO UK DOUBTS ABOUT AREAS (2) AND (3), REPORT NOTES THAT MERELY BECAUSE A SUBJECT IS UNDER CONSIDERATION, GROUP WILL NOT NECESSARILY PRODUCE ANY RESULTS IN THAT AREA.

8. SWEDEN, WITH STRONG SUPPORT FROM THE CHAIR AND SOME ENCOURAGEMENT FROM CANADA, INITIALLY PROPOSED THAT THE GROUP ATTEMPT TO DRAFT AT LEAST SOME "NORMS OF CONDUCT" DURING THE SECOND MEETING. CHAIRMAN ATTEMPTED TO CONDUCT A SUBSTANTIVE DISCUSSION ON POSSIBLE GUIDELINES IN AREA (1), BUT DELAYING TACTICS OF ARGENTINA, BRAZIL AND FRANCE, COMBINED WITH LACK OF SUBSTANTIVE KNOWLEDGE ON PART OF MOST EXPERTS, THWARTED THIS INITIATIVE.

9. ATTENTION THEN FOCUSED ON NATURE OF GROUP'S FUTURE WORK. ARGENTINA, BRAZIL AND FRANCE FAVORED A SLOW, CAREFUL APPROACH; THEY CHIEFLY EXPRESSED A DESIRE TO AMASS MORE INFORMATION. THIS LED INITIALLY TO A DISCUSSION OF THE POSSIBILITY OF UNEP'S SERVING AS A CLEARING HOUSE FOR
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 GENEVA 05866 02 OF 04 182240Z

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 GENEVA 05866 03 OF 04 182241Z
ACTION OES-07

INFO OCT-01 AF-10 IO-13 ISO-00 AID-05 CEQ-01 CIAE-00
SOE-02 COME-00 DODE-00 EB-08 EPA-01 INR-10 L-03
NSF-01 NSC-05 NSAE-00 PM-05 ICA-11 SS-15 SP-02
DOE-15 INT-05 ACDA-12 AGRE-00 CEA-01 CG-00
DLOS-09 DOTE-00 FMC-01 TRSE-00 H-01 JUSE-00
OMB-01 PA-01 ARA-10 EA-10 EUR-12 NEA-10 LAB-04
SIL-01 /193 W

-----067426 182315Z /63

R 181840Z APR 78
FM USMISSION GENEVA
TO SECSTATE WASHDC 8557
INFO AMEMBASSY NAIROBI

C O N F I D E N T I A L SECTION 03 OF 04 GENEVA 05866

INFORMATION ON NATIONAL LEGISLATION AND PRACTICE OF ENVIRONMENTAL ASPECTS OF OFFSHORE MINING AND DRILLING. DISCUSSION INCONCLUSIVE, AS EXPERTS REALIZED PROPOSAL WOULD REQUIRE FURTHER STAFFING AND FUNDING OF UNEP AND WERE UNSURE WHAT VALUE CLEARING HOUSE WOULD HAVE FOR PRESENT STUDY. INDIA, HOWEVER, EXPRESSED VIEW THAT COUNTRIES IN PROCESS OF DEVELOPING ENVIRONMENTAL LEGISLATION ON OFFSHORE MINING AND DRILLING COULD FIND CLEARING HOUSE USEFUL.

10. POSSIBILITY OF ADDRESSING QUESTIONNAIRE TO GOVERNMENTS ON THEIR ENVIRONMENTAL LEGISLATION AND PRACTICE IN AREA OF OFFSHORE MINING AND DRILLING ALSO DISCUSSED. GENERAL SENTIMENT WAS THAT QUESTIONNAIRES USUALLY YIELD DISAPPOINTING RESULTS. US AND VENEZUELA, HOWEVER, UNDERTOOK TO SUBMIT INFORMATION ON THEIR NATIONAL LEGISLATION AND PRACTICE.

11. ARGENTINIAN, BRAZILIAN AND FRENCH APPARENT DESIRE THAT GROUP NOT UNDERTAKE MORE THAN FURTHER STUDY WAS COUNTERBALANCED BY INSISTENCE OF CHAIRMAN, CANADA, SWEDEN, UK, US
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 GENEVA 05866 03 OF 04 182241Z

AND OTHERS THAT GROUP CONCERTIZE ITS FUTURE OBJECTIVES. CHAIRMAN, SUPPORTED BY CANADA, SWEDEN, UK AND US, SUGGESTED GROUP GIVE SECRETARIAT MANDATE TO PREPARE DRAFT GUIDELINES IN AREA (1) FOR DISCUSSION AND REVISION BY THE GROUP AT NEXT MEETING. WHEN ARGENTINA, BRAZIL, FRANCE AND

VENEZUELA EXPRESSED VIEW THAT WAS GROUP'S, AND NOT SECRETARIAT'S, TASK TO DRAFT GUIDELINES, CHAIRMAN SUGGESTED COMPROMISE WHICH ATTAINED CONSENSUS -- SECRETARIAT IS COMMISSIONED TO PREPARE OR CONTRACT REPORT ON AREA (1) TO CONTAIN CONCLUSIONS OR RECOMMENDATIONS WHICH GROUP MAY USE, IF IT DEEMS APPROPRIATE, AS BASIS FOR GUIDELINES TO BE DRAFTED BY GROUP.

12. DISCUSSIONS SUMMARIZED PARAS. 4-11 TOOK PLACE DURING LENGTHY AND OFTEN UNINTELLIGIBLE CONSIDERATION OF CONSULTANT'S REPORT AND SEVERAL VERSIONS OF A "DISCUSSION PAPER" PREPARED BY A SMALL WORKING GROUP, CONSISTING FIRST OF CANADA, POLAND AND THE CONSULTANT, AND LATER SUPPLEMENTED BY ARGENTINA AND THE UK. FINAL VERSION ANNEXED TO THE REPORT AS "WORK PROGRAMME" AND BASICALLY RECITES AGREEMENTS NOTED IN PARAS. 4-11 AS WELL AS ELABORATES ON CONTENT OF THE FOUR AREAS OF STUDY.

13. FURTHER TOPICS FOR STUDY: DURING CLOSING MOMENTS, SWEDEN RAISED SUBJECT OF OTHER TOPICS FOR GROUP'S CONSIDERATION AND STATED SWEDISH INTEREST IN SECRETARIAT'S BEGINNING PRELIMINARY REPORT ON POLLUTION FROM LAND-BASED SOURCES. US, EVIDENTLY REFLECTING MAJORITY SENTIMENT, STRONGLY URGED THAT GROUP FOCUS ON AND FINISH ITS WORK ON FIRST TOPIC BEFORE EMBARKING ON ANOTHER. DUE TO LACK OF TIME, DISCUSSION OF FUTURE TOPICS DEFERRED TO NEXT MEETING.

14. FUTURE MEETINGS: SECRETARIAT DOES NOT CONTEMPLATE ANOTHER MEETING BEFORE LATE 1978 OR EARLY 1979. DESPITE CONFIDENTIAL

CONFIDENTIAL

PAGE 03 GENEVA 05866 03 OF 04 182241Z

CANADA'S URGING, SECRETARIAT REFUSED COMMITMENT TO COMPLETE REPORT AND CONCLUSIONS ON AREA (1) BY LATE FALL. ARGENTINA, FRANCE AND VENEZUELA IMPRESSED ON THE SECRETARIAT THE NEED TO CIRCULATE DOCUMENTS IN ALL FOUR UN LANGUAGES SUFFICIENTLY IN ADVANCE OF MEETINGS. AS RESULT, REPORT EXPRESSES GROUP'S HOPE THAT REPORT WILL BE COMPLETED BY LATE FALL AND CIRCULATED TO GOVERNMENTS AT LEAST TWO MONTHS BEFORE NEXT MEETING, ANTICIPATED IN FEBRUARY 1979.

15. BERLIN: ALTHOUGH FRG EXPERT (SCHAFFER) WAS FROM FEDERAL ENVIRONMENT AGENCY IN BERLIN, ISSUE DID NOT ARISE. AS IS NOW STANDARD PRACTICE IN UNEP WORKING GROUPS, SECRETARIAT OMITTED MENTION OF LOCATION OF OFFICES IN LIST OF PARTICIPANTS.

16. PERFORMANCE OF CHAIRMAN: CHAIRMAN OBVIOUSLY FACED VERY DIFFICULT TASK. UNFORTUNATELY, HE WAS UNABLE TO AVOID CHAMPIONING NETHERLANDS' VIEWS, CLOSE TO THOSE OF CANADA AND SWEDEN. HE DISPLAYED TENDENCY TO SUM UP DEBATE IN FASHION MORE FAVORABLE TO HIS SIDE THAN WARRANTED, WHICH

SERIOUSLY AGGRAVATED ARGENTINA, BRAZIL AND FRANCE, AND LED TO SEVERAL SHARP EXCHANGES. GIVEN UNPLEASANT CLIMATE CREATED, IT MAY BE NECESSARY TO CHANGE CHAIRMAN AT NEXT MEETING TO HAVE HOPE OF MAKING PROGRESS.

17. CONCLUSIONS: GROUP NOW SEEMS CLEARLY EMBARKED ON ANOTHER EXERCISE IN DRAFTING GENERAL GUIDELINES FOR THE CONDUCT OF STATES, AT LEAST AS FIRST STEP. US MUST SERIOUSLY CONSIDER WORTH OF EFFORT, GIVEN EXPERIENCE IN SHARED NATURAL RESOURCES GROUP AND RECALCITRANCE OF SEVERAL DELEGATIONS. IT IS CLEAR MANY OF PROBLEMS AT PRESENT SESSION RESULTED FROM SECRETARIAT'S HASTE AND ATTENDANT LACK OF PREPARATION IN PUSHING UP MEETING FROM ORIGINAL DATE IN SEPTEMBER TO APRIL. IF EXERCISE TO CONTINUE, USG MUST PRESS SECRETARIAT AT GOVERNING COUNCIL TO PREPARE ADEQUATELY FOR MEETINGS AND, IN PARTICULAR, TO CIRCULATE DOCUMENTS IN ALL
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 GENEVA 05866 03 OF 04 182241Z

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 GENEVA 05866 04 OF 04 182241Z

ACTION OES-07

INFO OCT-01 AF-10 IO-13 ISO-00 AID-05 CEQ-01 CIAE-00
SOE-02 COME-00 DODE-00 EB-08 EPA-01 INR-10 L-03
NSF-01 NSC-05 NSAE-00 PM-05 ICA-11 SS-15 SP-02
DOE-15 INT-05 ACDA-12 AGRE-00 CEA-01 CG-00
DLOS-09 DOTE-00 FMC-01 TRSE-00 H-01 JUSE-00
OMB-01 PA-01 ARA-10 EA-10 EUR-12 NEA-10 LAB-04
SIL-01 /193 W

-----067424 182315Z /63

R 181840Z APR 78

FM USMISSION GENEVA

TO SECSTATE WASHDC 8558

INFO AMEMBASSY NAIROBI

C O N F I D E N T I A L SECTION 04 OF 04 GENEVA 05866

FOUR UN LANGUAGES SUFFICIENTLY IN ADVANCE OF MEETINGS TO PERMIT SERIOUS CONSIDERATION BY GOVERNMENTS. USG MIGHT ALSO WISH TO CONSIDER EXPANDING GROUP TO INCLUDE TECHNICAL

EXPERTS. TO CATALYZE CURRENT EFFORT AT DRAFTING GUIDE-
LINES, USG MAY WISH TO DEVELOP COMMON POSITION, WITH
CANADA, SWEDEN AND NETHERLANDS, PERHAPS BY CIRCULATING
JOINT DRAFT OF GUIDELINES. VANDEN HEUVEL

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW, ENVIRONMENT, WATER POLLUTION, OFFSHORE DRILLING, MEETINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 18 apr 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978GENEVA05866
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780166-0729
Format: TEL
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780446/aaaabmuz.tel
Line Count: 444
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: f69a07ac-c288-dd11-92da-001cc4696bcc
Office: ACTION OES
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 9
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 02 jun 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2936647
Secure: OPEN
Status: NATIVE
Subject: SECOND MEETING OF UNEP EXPERTS ON ENVIRONMENTAL LAW.
TAGS: PLOS, UNEP
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/f69a07ac-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014